

Goals of New Attorney Training Protocol

1. Learn LSC, OSLSA, and office policies and procedures and routinely follow them.
2. Learn about the office service area and become involved in the community helping the client community.
3. Learn who the community leaders are in the office service area whose decisions affect our clients and meet them.
4. Learn about and access opportunities outside the office to become better advocate for our client community.
5. Learn about our program.
6. Learn the basic skills and knowledge needed to become an effective litigator for our client community in the fundamental areas of poverty law, domestic, housing, consumer, and benefits.

1. Learn LSC, OSLSA, and office policies and procedures and routinely follow them.

First Week:

Meet with the managing attorney to ensure s/he (a.) has all the required equipment, office supplies, manuals, rule book(s), calendar, forms (ie., insurance), and keys (b.) knows how to use all necessary equipment or prompt arrangements have been made to so instruct (c.) understands the daily timekeeping requirements, (d.) understands these checklists and training protocol, including the Scavenger Hunt, (e.) knows when any upcoming required trainings (NASTY/BLST/Programwide/NAT) are scheduled and, if needed, is registered, and (e.) discussed what will be doing for the next few weeks .

Done ____ To be done ____

Know the daily timekeeping policy and begun to keep contemporaneous time records on PIKA.

Done ____ To be done ____

Review the Collective Bargaining Agreement, specifically Program's Mission, CBA 3.01 and 3.02, and any other materials provided by the Program at the time of hire.

Done ____ To be done ____

Review the Programwide handbook/screening manual, especially policies addressing priorities, GCAM , and income and asset eligibility.

Done ____ To be done ____

Be aware of the federal regulations under Title 45, Chap. XVI, directly relating to the work of LSC grantees and related Program policies in the Programwide Handbook.

Done ____ To be done ____

Be aware of the federal regulations under Title 45, Chap. XVI, directly relating to the work of LSC grantees and related Program policies in the Programwide Handbook.

Done ____ To be done ____

Spend time with someone designated by the managing attorney learning generally about how the office handles routine administrative tasks, such as the bi-weekly time sheets and proration table, leave request forms, mileage request forms, training request forms, the petty cash account, client trust accounts, operation of the fax machine and telephone (including conferencing features), and similar information that will help orient the new attorney to office mechanisms. The new attorney should also use this time to learn how the office's typing is handled and where to put and pick up typing work, urgent work, etc.

Done ____ To be done ____

Be familiar with how the office ordinarily schedules emergency and non-emergency intakes in both the home and outlying counties.

Done ____ To be done ____

Be familiar with the office's double calendaring policy, how it actually functions, and responsibilities under the policy.

Done ____ To be done ____

Be familiar with the office system for organizing case files, both hard copies and on the computer, and the Program file requirements set forth in the Programwide handbook.

Done ____ To be done ____

Have had a secretary explain and demonstrate how an applications is taken, including checking for conflicts, determining eligibility, entering the case info into PIKA, and using the screening manual and has watched applications being taken.

Done ____ To be done ____

First Month:

Be regularly using office and personal calendar.

Done _____ To be done _____

Be complying with timekeeping policy.

Done _____ To be done _____

Be complying with double calendaring policy.

Done _____ To be done _____

Understands LSC requirements for when a signed citizenship attestation is required, the timely closings of cases, and closing codes.

Done _____ To be done _____

Understands LSC and good practice requirements for having an executed retainer agreement.

Done _____ To be done _____

Have reviewed all closed CSRs for one week to build a knowledge base about the types of cases we handle, the advice and other services we provide, how others handle the telephone intake process, etc. and other services we provide, how others handle the telephone intake process, etc.

Done _____ To be done _____

Routinely enters appropriate status notes into client record in PIKA or case file.

Done _____ To be done _____

Have discussed the office's priority plan with managing attorney.

Done _____ To be done _____

Have discussed with managing attorney our grievance policy, how clients should be informed of his/her rights to grieve, and how grievances, oral and written, are handled.

Done _____ To be done _____

First Quarter (months one through three):

Have assignments in achieving office's goals under priorities.

Done _____ To be done _____

Be routinely closing applications/cases timely and properly with required signatures and executed retainers.

Done: ____ To be done: ____

Second Quarter (months four through six):

Have case files that are routinely and appropriately organized.

Done: ____ To be done: ____

Be acting as emergency attorney as routine part of office rotation.

Done: ____ To be done: ____

2. Learn about the office service area and become involved in the community helping the client community.

First Week:

Begin a routine of promptly reviewing circulating newspapers from office service areas for matters important to our clients and/or relevant to delivery of services to our clients.

Done _____ To be done _____

Helped managing attorney draft and send to newspapers in service area an announcement that s/he is working for the office.

Done ____ To be done ____

First Month:

Have begun completing the Scavenger Hunt.

Done ____ To be done ____

First Quarter (months one through three):

Have completed the Scavenger Hunt and mailed completed checklist to executive director.

Done ____ To be done ____

Fourth Quarter (months ten through twelve):

Has played significant role in a significant community involvement of the office. Y __ N __

3. Learn who the community leaders are in the office service area whose decisions affect our clients and meet them.

First Week:

Visit the home-county courthouses, meeting as many people as possible.

Done ____ To be done ____

Know who the office's local board members are and managing attorney has informed local board members that s/he has joined the office.

Done ____ To be done ____

First Month:

Have met all the judges in office's home county.

Done ____ To be done ____

Judges met: _____

Have visited a social service organization/agency in at least two counties.

Done ____ To be done ____

Organizations/agencies visited: _____

First Quarter (months one through three):

Have meet all judges and magistrates in service area

Done _____ To be done _____

If not, who has not met: _____

Have been to the Jobs and Family Services agency, PHA, and CAC in county where office is located.

Done _____ To be done _____

Agency to be visited: _____

Have been to one of the above agencies in each of the other counties in service area:

Done _____ To be done _____

Agencies visited: _____

Second Quarter (months four through six):

Have been to Jobs and Family Services, PHA, and CAC in all counties in service area.

Done: ____ To be done: ____

Agencies still to visit: _____

4. Learn about and utilize opportunities outside the office to become better advocate for our client community.

First Quarter (months one through three):

Have attended a community or local board meeting or task force.

Done _____ To be done _____

Meeting attended: _____

Have attended an OSLSA Task Force meeting or SEOLS team meeting.

Done _____ To be done _____

Task Force/Team meeting attended: _____

Second Quarter (months four through six):

Have identified a program team and/or statewide task force to join and regularly attend.

Done: ____ To be done: ____

Team and/or task force chosen: _____

Have attended a bar meeting in the service area.

Done _____ To be done _____

County attended: _____

Joined a bar in service area.

Done _____ To be done _____

Bar joined: _____

Third Quarter (months seven through nine):

Have continued to regularly attend an OSLSA task force or SEOLS team.

Done: ____ To be done: ____

Task force or team: _____

Serves on a community board or is active in a community group or effort that benefits low income people.

Activity: _____

Have regularly attend bar association that joined.

Done: ____ To be done: ____

Have worked with attorney in another SEOLS office on an appeal or other significant court proceeding or case.

Done: ____ To be done: ____

Case/office: _____

5. Learn about our program.

First Quarter (months one through three):

Have attended another office's GCAM or has scheduled the visit.

Done _____ To be done _____

Office GCAM attended: _____

Office GCAM to be attended: _____

Have attended Orientation. Y ____ N ____.

6. Learn the basic skills and knowledge needed to become an effective litigator for our client community in the fundamental areas of poverty law, domestic, housing, consumer, and benefits.

First Week:

Be familiar with the resources in the office's library, particularly the NCLC series, Baldwin's Domestic Violence and Consumer Law, Ishkin's Landlord/Tenant, National Housing Law Project's Subsidized Housing Manuals, Sowald/Morganstern's Domestic Relations, and Mauet's Trial Techniques.

Done ____ To be done ____

Be aware of local court rules for the counties covered by the office and where they are kept in the office.

Done ____ To be done ____

Visit the local county law library.

Done ____ To be done ____

Met with experienced office attorney to discuss legal research on the internet.

Done ____ To be done ____

First Month:

Begin a routine of promptly reviewing circulated professional periodicals for matters relevant to our legal practice.

Done ____ To be done ____

Client Screening/Interviews

a. have read an article on effective interviewing. Done ____ To be done ____

Article read: _____

b. have discussed with managing attorney ethical issues that come up, including, but not limited to conflicts, if another person wants to accompany client into interview, if client suspected of child abuse, ex parte communications, confidentiality, threatening criminal prosecution, difficult clients, etc.

Done ____ To be done ____

c. have observed interviews by different office casehandlers (including phone, in person, and emergency interviews)

Done ____ To be done ____

d. Have done interviews with another casehandler present.

Done ____ To be done ____

e. Is able to regularly and effectively conduct solo interviews as part of office rotation

Done _____ To be done _____

Have a caseload of 10-15 active cases¹

Done _____ To be done _____

Have weekly meetings scheduled for the next month to with Managing Attorney to discuss cases.

Done _____ To be done _____

Have written correspondence reviewed by managing attorney or designee.

Done _____ To be done _____

Have discussed with managing attorney how to write closings letters that are not too long but appropriately advise the client the reasons for the office's decision and what, if anything the client should do or be aware of.

Done _____ To be done _____

Have observed court appearances/hearings by other casehandlers.

Done _____ To be done _____

Appearances/hearings-casehandlers observed: _____

Be co-counseling with casehandlers in office.

Done _____ To be done _____

Casehandlers co-counseling with and types of cases: _____

Have discussed with managing attorney the starting of non-client resource files that will grow and be helpful over time. These files may contain information relevant to particular substantive areas of the law, the communities in which we practice, training materials, sample court documents, etc.

Done ____ To be done ____

¹These "cases" include applications with a retainer agreement that have been accepted by the office. They do not include intakes that are opened and closed by advice and counsel or (truly) brief service within one to two weeks of application. However, the number of those advice/counsel and brief service applications and their time demands must be monitored.

First Quarter (months one through three):

Hearings

- a. Have observed different casehandlers (or private attorneys) in hearings

Done _____ To be done _____

Casehandlers (or private attorneys) observed: _____

- b. Have prepared witnesses for hearings

Done _____ To be done _____

- c. has worked on an administrative proceeding through hearing with another casehandler.

Done _____ To be done _____

Type of case and second chair: _____

- d. have done at least one simple court hearing/pretrial (with second chair)

Done _____ To be done _____

Type of case and second chair: _____

Ongoing active caseload is at least 15-20² or equivalent which includes a housing, consumer, family and public benefits case.

Done _____ To be done _____

Be meeting weekly with managing attorney to review cases.

Done _____ To be done _____

Dates of mtgs: _____

Have drafted pleadings

Done _____ To be done _____

Pleadings (and type of case) drafted: _____

Have drafted discovery: interrogatories or request for documents.

Done: ____ To be done: ____

²These “cases” include active projects and applications with a retainer agreement that have been accepted by the office. They do not include intakes that are opened and closed by advice and counsel or (truly) brief service within one to two weeks of application. The number of those advice/counsel and brief service applications and their time demands of must be monitored.

Performed significant piece of legal research and writing.

Done _____ To be done _____

Briefly describe: _____

Have observed deposition(s).

Done _____ To be done _____

Have met with Litigation Director, Deputy Director, or Executive Director and reviewed open case list and discussed progress and development, appropriateness of caseload, quantity, mix, and difficulty.

Done _____ To be done _____

Date met or to meet: _____

Have visited a client's home in a housing case to inspect and gather evidence.

Done: ____ To be done: ____

Has practiced dictation by doing equivalent of one week's worth of correspondence by dictation.

Done: ____ To be done: ____

Second Quarter (months four through six):

Have signed up for or passed federal bar for the federal courts covering service area.³

Done: ____ To be done: ____

If not done, date of federal bar: _____

Trial skills and experience:⁴

a. have actively participated in 3-5 court proceedings (ie. examined witness, argued motion, etc.) with another attorney.

Done: ____ To be done: ____

Proceedings in which participated and nature of participation: _____

b. have had primary responsibility for preparing and presenting at either a welfare,

³ Note, that if the new attorney is not eligible for federal bar because has not yet passed the state bar, this step must be tracked and complied with at earliest possible date.

⁴ If not admitted to the Bar, priority should be given to doing more administrative hearings.

CSEA, unemployment, SSA, or administrative housing hearing.

Done: ____ To be done: ____

Hearing(s): _____

c. have had primary responsibility preparing and presenting at least one domestic violence case.

Done: ____ To be done: ____

d. have had primary responsibility preparing and presenting at least one eviction defense case.

Done: ____ To be done: ____

Have an active caseload of 20-25 cases or equivalent⁵ with a mix of housing, consumer, family, and public benefits.

Done: ____ To be done: ____

Have done or be ready to take a deposition with a second chair.

Done: ____ Ready to do: ____ To be done: ____

Is meeting weekly with managing attorney to review cases.

Done: ____ To be done: ____

Dates of meetings: _____

Have an elements chart and case plan in every file of a contested custody, consumer, or affirmative housing conditions case in court in which have primary responsibility. At a minimum, case plan includes a projected timetable as to when and what discovery, formal and informal, and pretrial motions will be done to prepare for hearing.

Done: ____ To be done: ____

Cases with elements chart\case plan: _____

Have drafted and filed a consumer or affirmative housing conditions pleading.

Done: ____ To be done: ____

Type of case and pleading drafted/filed: _____

Have cases in which either interrogatories, requests for documents, or requests for admissions have been drafted and used and answers obtained.

Done: ____ To be done: ____

⁵ An example of an “active caseload” of 20-25 cases might be 15 open files, 1-2 projects, and regularly handling each week 5-8 advise & counsel and brief service cases. Of course, if an open file or project is a big one then the number should be adjusted appropriately.

Have prepped a witness for deposition.

Done: ____ To be done: ____

Case in which prepped witness for deposition: _____

Have read the book "Getting to Yes".

Done: ____ To be done: ____

Have met with Litigation Director, Deputy Director, or Executive Director and reviewed open case list and discussed progress and development, appropriateness of caseload, quantity, mix, and difficulty.

Done: ____ To be done: ____

Third Quarter (months seven through nine):

Trial skills

a. Have conducted 3-5 solo hearings, administrative or judicial.

Done: ____ To be done: ____

Hearings conducted: _____

c. Able to do an effective domestic violence case from beginning to end with little supervision.

Done: ____ To be done: ____

Case done: _____

d. Have done an administrative proceeding in two administrative areas, CSEA, welfare, unemployment, SSA, or housing, from beginning to end.

Done: ____ To be done: ____

Proceeding(s) done: _____

Maintain an active caseload between 25-30⁶ with appropriate mix of cases.

Done: ____ To be done: ____

Know how to handle a landlord/tenant lockout or utility shut off.

Done: ____ To be done: ____

Understand the importance of planning and routinely sending out formal discovery in all judicial cases promptly after appearance in case. Understanding is evidenced in the casework.

⁶An example of an "active caseload" of 25-35 cases might be 20 open files, 1-2 projects, and regularly handling each week 8-10 advise & counsel and brief service cases. Of course, if an open file or project is a big one then the number should be adjusted appropriately.

Done: ____ To be done: ____

Cases in which this is demonstrated and type of discovery done: _____

Have drafted and filed pleadings in housing and consumer cases and pleadings or change of custody motions in family cases.

Done: ____ To be done: ____

Pleadings drafted/filed: _____

Have done a deposition with experienced casehandler.

Done: ____ To be done: ____

Case in which done: _____

Be able to do a competent deposition solo.

Done: ____ To be done: ____

Have met with Litigation Director, Deputy Director, or Executive Director and reviewed open case list and discussed progress and development, appropriateness of caseload, quantity, mix, and difficulty.

Done: ____ To be done: ____

Have observed oral arguments in local Court of Appeals. Done: ____ To be done: ____

Fourth Quarter (months ten through twelve):

Court hearings done in this period and types of cases: _____

Has ordered a transcript of one of the hearings and reviewed it with Litigation Director or designee. Y__ N__

Can competently draft a complaint and answer in a divorce, a consumer complaint, an answer in an eviction raising affirmative defenses, and an housing conditions complaint.

Cases in which above is demonstrated: _____

Has an active caseload of 25-35 cases, with at least five of which involve non-routine, complex, or difficult issues.

Cases involving non-routine, complex, or difficult issues: _____

Has done solo deposition(s).

Cases in which solo deposition done: _____

Has reviewed solo deposition transcript with managing attorney and litigation director or designee.

Case in which transcript reviewed: _____

Routinely sends out discovery promptly after filing of pleading in appropriate cases. Y__ N__

Has done an objections to a magistrate decision. Y__ N__

Has done the research and written the following and supporting factual and legal memorandum:

- | | |
|--|---------|
| a. To compel discovery | Y__ N__ |
| b. for summary judgment | Y__ N__ |
| c. for relief from judgment | Y__ N__ |
| d. for new trial | Y__ N__ |
| e. for default judgment | Y__ N__ |
| f. for leave to amend a pleading | Y__ N__ |
| g. for sanctions | Y__ N__ |
| h. objections to magistrate's decision | Y__ N__ |

Has scheduled meeting with Litigation Director and managing attorney within the first month of second year to prepare second year development plan. Date of meeting: _____